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Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Adv. Pro. No. 08-01789 (SMB)

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

SIPA LIQUIDATION

(Substantively Consolidated)

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Adv. Pro. No. 10-05094(SMB)

Plaintiff,

v.

THE ESTATE OF CAROLYN MILLER,

THE CAROLYN ROSEN MILLER REVOCABLE
TRUST,

LAURIE ROSEN RIEMER, individually and in her
capacities as Personal Representative of THE

ESTATE OF CAROLYN MILLER and trustee of
THE CAROLYN ROSEN MILLER REVOCABLE
TRUST, and LEONARD MILLER, individually
and in his capacities as Personal Representative of
THE ESTATE OF CAROLYN MILLER and
trustee of THE CAROLYN ROSEN MILLER
REVOCABLE TRUST,

Defendants.

**STIPULATION AND ORDER FOR SUBSTITUTION OF
DEFENDANT LEONARD MILLER**

WHEREAS, on December 2, 2010, Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et. seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, filed the above-captioned adversary proceeding against defendants the Estate of Carolyn Miller, the Carolyn Rosen Miller Revocable Trust, Laurie Rosen Riemer, individually and in her capacities as Personal Representative of the Estate of Carolyn Miller and trustee of the Carolyn Rosen Miller Revocable Trust, and Leonard Miller, individually and in his capacities as Personal Representative of the Estate of Carolyn Miller and trustee of the Carolyn Rosen Miller Revocable Trust; and

WHEREAS, Leonard Miller died on February 21, 2014.

IT IS THEREFORE MUTUALLY AGREED AND STIPULATED, by and between the Trustee, the Estate of Carolyn Miller, the Carolyn Rosen Miller Revocable Trust, Lauren Rosen Riemer, individually and in her capacities as Personal Representative of the Estate of Carolyn Miller and trustee of the Carolyn Rosen Miller Revocable Trust, as follows:

1. The Estate of Leonard Miller¹ (the “Estate”), Corinne M. Cott, in her capacity as personal representative of the Estate of Leonard Miller, Robert B. Miller, in his capacity as personal representative of the Estate of Leonard Miller, and Joanne Gayle Rosen, in her capacities as successor Personal Representative of The Estate of Carolyn Miller and trustee of The Carolyn Rosen Miller Revocable Trust (collectively referred to as the “Substituting Defendants”), are hereby substituted into this action in place of Leonard Miller, deceased. The complaint shall be deemed so amended (the “Amended Complaint”).

2. The Clerk of the Court is hereby directed to amend the caption to this adversary proceeding to remove Leonard Miller and to add the Substituting Defendants, as reflected on Exhibit A to this Stipulation.

3. Counsel for the undersigned Defendants expressly represents that he has the authority to accept service of the Amended Complaint on behalf of Defendants and expressly agrees that the amendment noted in Paragraph 1 hereof shall not be considered an amendment under Federal Rule of Civil Procedure 15(a)(1)(A) or (B).

4. Except as expressly set forth herein, the parties to this Stipulation reserve all rights and defenses they may have.

5. This Stipulation may be signed by the parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

¹ The Estate of Leonard Miller, Probate Case No. 14000961CP02; in the Circuit Court Miami-Dade County, Florida (Judge Michael A. Genden).

Dated: December 9, 2015

New York, New York

BAKER & HOSTETLER LLP

By: /s/ Nicholas J. Cremona

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Madoff Investment Securities LLC and the
Estate of Bernard L. Madoff*

**BERNFELD, DeMATTEO & BERNFELD,
LLP**

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SO ORDERED.

Dated: December 10th, 2015
New York, New York

/s/ STUART M. BERNSTEIN

HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE